

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

No. 5:14-CR-120-H

No. 5:16-CV-823-H

UNITED STATES OF AMERICA,

v.

TERESA LYN FLETCHER,

Defendant.

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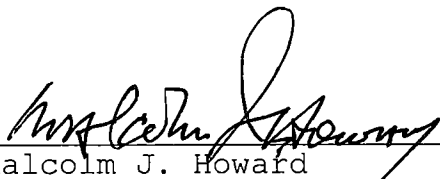
ORDER

This matter is before the court on defendant's motion for reconsideration [DE #141] and defendant's motion to amend her motion requesting BOP recommendation regarding placement in a residential reentry center. In reality, both defendant's motions are asking the court to reconsider its prior order. Finding no reason to alter its prior ruling, the motion to amend [DE #140] and the motion for reconsideration [DE #141] are DENIED.

Also before the court is defendant's motion for a certificate of appealability as to the court's order dismissing her § 2255 motion. A certificate of appealability shall not issue absent "a substantial showing of the denial of a constitutional right." 28 U.S.C. § 2253(c)(2). A petitioner satisfies this standard by demonstrating that reasonable jurists would find that an assessment of the constitutional claims is debatable and that any dispositive procedural ruling dismissing such claims is likewise

debatable. Miller-El v. Cockrell, 537 U.S. 322, 336-38 (2003);
Slack v. McDaniel, 529 U.S. 473, 484 (2000); Rose v. Lee, 252 F.3d
676, 683-84 (4th Cir. 2001). A reasonable jurist would not find
this court's dismissal of Petitioner's § 2255 Motion debatable.
Therefore, the motion for a Certificate of Appealability [DE #136]
is DENIED.

This 24th day of May 2018.



Malcolm J. Howard
Senior United States District Judge

At Greenville, NC
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